

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SHIRE ORPHAN THERAPIES LLC and
SANOFI-AVENTIS DEUTSCHLAND
GMBH,

Plaintiffs,

v.

FRESENIUS KABI USA, LLC,

Defendant.

C.A. No. 15-1102-GMS

JUDGMENT

This action came before the Court for a four-day bench trial on January 29, 2018. The issues have been tried and the parties filed Proposed Findings of Fact and Conclusions of Law on March 5, 2018 (D.I. 111, 112). The court issued a memorandum and order (“Opinion”) on June 5, 2018 (D.I. 115, 116). Therefore,

IT IS HEREBY ORDERED AND ADJUDGED that, in accordance with the Opinion, final judgment is hereby entered in favor of plaintiffs Shire Orphan Therapies, LLC and Sanofi-Aventis Deutschland GmbH and against defendant Fresenius Kabi USA, LLC, finding that:

1. The '333 Patent is not invalid in light of the '7,803 Patent under the doctrine of obviousness-type double patenting; and
2. The '333 Patent is not invalid due to prosecution laches.

Dated: June 5, 2018


UNITED STATES DISTRICT JUDGE